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10 UNITED STATES DISTRICT COURT
11 FOR THE NORTHERN DISTRICT OF CALIFORNIA
12 SAN JOSE DIVISION – ECF PROGRAM

13 HALEY WRIGHT, EMILY WRIGHT, and
14 JESSICA WRIGHT,

15 Plaintiffs,

16 v.

17 CITY OF SANTA CRUZ, COUNTY OF
18 SANTA CRUZ; MARK YANEZ, TATE
HOWE, KENNY BESK, ANTHONY
PARKER. BRENDAN OMORI, JOHN
19 FERNANDEZ, DRUG ENFORCEMENT
ADMINISTRATION, JOSHUA
FERNANDEZ, DRUG ENFORCEMENT
ADMINISTRATION, JOSHUA
SINGLETON, TWENTY UNKNOWN
FEDERAL, CITY AND COUNTY
20 INDIVIDUALS and AGENCIES.,

21 Defendants.

22 CASE NO. 13-01230 LHK

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24 **PLAINTIFFS' REQUEST FOR AN
ORDER DISMISSING DEFENDANT
TATE HOWE WITHOUT PREJUDICE
[PROPOSED] ORDER**

25 Based upon the representation of defendant County of Santa Cruz that defendant Tate
26 Howe did not participate in any manner in the events as alleged in plaintiffs' first amended
complaint, plaintiffs hereby request an order dismissing defendant Tate Howe without prejudice
27 to refiling if facts are later determined that would give rise to his liability in some manner.

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3 Dated: January 28, 2014

/s/ Kathleen E. Wells
KATHLEEN E. WELLS,
Attorney for Plaintiffs

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7 Dated: January 28, 2014

/s/ Aaron J. Lodge
AARON J. LODGE,
Attorney for Plaintiffs

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11 [PROPOSED] ORDER

12 GOOD CAUSE APPEARING THEREFOR

13 it is hereby ordered that defendant Tate Howe is dismissed from this action without
14 prejudice.

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17 Dated:

18 _____
19 THE HONORABLE LUCY H. KOH
20 UNITED STATES DISTRICT COURT JUDGE
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Kate Wells
and
Aaron
Lodge,
Attorneys
for plaintiff